GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Registration & Stamps Department – Departmental proceedings initiated against Sri N.Raghu, former Sub Registrar, V.Madugula, Anakapalli Registration District (now Retired) on the allegation of unauthorizedly engaged a person – Regular enquiry conducted – Inquiry report communicated – Show cause notice Issued – representation received – Imposing a penalty of 5% cut in pension for a period of 2 years – Orders – Issued.

REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No.666 **Dated:10-07-2017.**
Read the following:

Ref:
1. DSP, ACB, Visakhapatnam Range vide Cr.No.26/RCT-VSP/2011, dt:1-12-2011.
2. DG, ACB Rc.No.247/RCT-WVP/2011, dated:13-6-2013.
3. DG, ACB Rc.No.247/RCT-WVP/2011, dated:6-11-2014
4. G.O.Rt.No.91, Rev (Vig-II) Dept., dated:10.2.2015.
5. Written Statement of Defence of Sri N.Raghu, former Sub Registrar (Retired) dated:20-3-2015 through the D&IG, R&S, AP., Hyd., Lr.No.Vig.3/19550/2011, dt:2-5-2015.
6. G.O.Rt.No.569, Rev (Vig.II) Deptt., dated:19-6-2015.
7. Govt., Memo.No.49653/Vig.VI(1)/2011-6, dt:19-6-2015.
8. D&IG, R&S, AP., Hyd., Lr.No.Vig.3/19550/2011, dt:15-06-2016 along with DIG, R&S, Visakhapatnam Lr.No.E1/3026/2011, dated:24-03-2016.
9. Govt., Memo.No.49653/Vig.II(1)/2011-7, dt:2-8-2016.
10. DIG, R&S, Visakhapatnam L.No.E1/3026/2011, dt: 29-8-2016 along with dated acknowledgement of the Communication of the IA report.
11. Govt., Memo.No.49653/Vig.II(1)/2011-8, dt:20-12-2016.
12. Representation of the CO Sri N.Raghu, former SR (Retd) dt:13-2-2017 through the DIG, R&S, Visakhapatnam letter dt:25-2-2017.
13. Govt., Lr.No.49653/Vig.II(1)/2011-10, dt:12-5-2017.
14. APPSC Lr.No.457/DC&C/1/2017, dt:7-6-2017.

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O R D E R:

Whereas, in the reference 1st read above, it has been brought to the notice of the Government that Sri N. Raghu, Sub Registrar, V.Madugula, Visakhapatnam District was trapped by the Anti Corruption Bureau officials on 01-12-2011 when he demanded and accepted bribe of Rs.6,000/- from the complainant for doing official favour to release sale deeds belongs to the complainant and his friend pertaining to the purchase of Ac 6.61 cents of dry land at Gavapalem (Village), which was registered on 15.11.2011.

2. And whereas, in the reference 2nd read above, the Director General, Anti Corruption Bureau has sent final report to Government recommended for prosecution against the Accused Officer on the allegation of corruption and also departmental action on the allegation of unauthorizedly engaging private person.

3. In respect of prosecution, the Director General, Anti Corruption Bureau in the reference 3rd read above informed that they have filed charge sheet before the court of the III Additional District & Sessions Judge-cum-Special Judge for Anti Corruption Bureau cases at Visakhapatnam on 21-10-2014 and stated that the result of the case will be intimated soon after the disposal of the case by the court.

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4. And in respect of departmental action, Government have examined the matter, initiated disciplinary proceedings against Sri N.Raghu, former Sub Registrar, V.Madugula, Visakhapatnam (Retired on 31-3-2014) duly framing the following charge in the reference 4th read above.

Charge:

That Sri Narasipuram Raghu, Sub Registrar, V.Madugula, Visakhapatnam District (now Retied on 31-3-2014) unauthorizedly engaged a person Sri P.Jagannadham as private assistant to him in his office, on a daily payment of Rs.100/- who is present in the office premises at the time of trap on 01.12.2011, by violating the instruction issued in circular memo No.XI/3945/07, Dt.2.5.2007, office of the Commissioner and Inspector General of Registration & Stamps, Andhra Pradesh, Vijayawada.

5. In the reference 5th read above, the Charged Officer submitted the Written Statement of Defence stating that he neither engaged one Sri P.Jagannadham as his Private Assistant nor paid any amount to him as was stated by him before Anti Corruption Bureau officials. He has further stated that he never demanded bribe amount from the defacto complainant nor accepted any amount through P.Jagannadham for return of documents already registered. He has also stated that he had not directed the complainant to give or asked anyone to accept the amount offered by him as alleged in the Statement of Imputation of misconduct. He has finally stated that he will prove his innocence at an appropriate time whenever the situation arises to enquire into the charges.

6. Government have examined the matter and appointed Deputy Inspector General, Registration & Stamps, Visakhapatnam as Inquiring Authority in the reference 6th read above and District Registrar, Registration & Stamps, Visakhapatnam as Presenting Officer in the reference 7th read above.

7. And whereas in the reference 8th read above, the Inquiring Authority i.e., the Deputy Inspector General, Registration & Stamps, Visakhapatnam has furnished the enquiry report through the Director & Inspector General, Registration & Stamps, Andhra Pradesh, Vijayawada stating mainly among others that the main allegation in the charge is that one Sri P.Jagannadham, a private person was engaged by the Charged Officer to assist him in Sub Registrar Office, Madugula on payment of Rs.100/- daily. The Regular Enquiry Officer has further reported that the PW1 has stated that the person Sri P.Jagannadham who retired from Revenue Department is working as an Assistant to Sub Registrar on payment of daily wages of Rs.100/- and stated that he is also writing /maintaining office records and also stated that the PW1 observed some office records such as Reconciliation Register, Daily User Charges Register, T.D.Ledger, Monthly User Charges Register maintained with Sri P.Jagannadham handwriting and the records such as Original Daily Posting Register to Document No.1178 and 1179/2011 which were seized by the Deputy Superintendent of Police, Anti Corruption Bureau. The Inquiring Authority has further stated that when examined in presence of mediators, the PW5 stated that Sri P.Jagannadham was engaged by Sub Registrar, Madugula on payment of Rs.100/- per day and he was working in the office. The Inquiring Authority has further stated that the PW4 during the post trap proceedings, when questioned Sri P.Jagannadham, he has stated that he was working as private assistant at the Sub Registrar Office, V.Madugula and stated that he was engaged by the Sub Registrar on daily payment of Rs.100/- to assist him in the maintenance of official records which was incorporated in the post trap proceedings.

8. The Inquiring Authority in his report has stated that though specific evidence is not adduced during the enquiry as to the engagement of P.Jagannadham in the Sub Registrar Office, Madugula on payment of daily wage of Rs.100/-, the circumstantial evidence adduced as to his presence in

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the office, the acceptance of tainted amount of Rs.6,000/- from the complainant at the time of trap and all other facts revealed in enquiry clearly shows that the Charged Officer Sri N.Raghu, former Sub Registrar, V.Madugula (now Retired) erred as alleged in the charge and stated that under the circumstances, the charge cannot be held otherwise than proved.

9. The Inquiring Authority has finally stated that on the basis of documentary and oral evidence adduced in the case before her and in view of the reasons given therein, she hold the charge is held proved against Sri N.Raghu, former Sub Registrar Grade-II, Sub Registrar Office, V.Madugula (now Retired).

10. Government have examined the matter, accepted the inquiry report and communicated the same to the Charged Officer for offering his representation if any on the findings of Regular Enquiry Officer in the reference 9th read above.

11. In the reference 10th read above, the Deputy Inspector General, Registration & Stamps, Visakhapatnam has furnished the dated acknowledgement of the Inquiring Authority report communicated to the Charged Officer. As seen from the dated acknowledgement, the Charged Officer acknowledged the receipt of Inquiring Authority report on 29-8-2016, but not submitted any representation and the prescribed time limit of 15 days has also been elapsed by 12-9-2016.

12. Government after careful examination of the matter have provisionally decided to impose a penalty of 5% cut in pension for a period of two years against Sri N.Raghu, former Sub Registrar, V.Madugula, Visakhapatnam District (now Retired) for the charge held proved. Accordingly, a Show Cause Notice has been issued with a direction to show cause as to why the proposed penalty should not be imposed against him in the reference 11th read above.

13. In the reference 12th read above, the Charged Officer Sri N.Raghu, former Sub Registrar, V.Madugula, Visakhapatnam District (now Retired) has submitted representation stating mainly among others that he was victimized in a trap proceedings of the Anti Corruption Bureau authorities, Visakhapatnam on a plea that he has demanded and accepted the bribe amount for return of documents from the complainant and claimant of the documents through a private person said to have been working in the office un-authorizedly engaged by the Sub Registrar concerned on payment of daily wage. On which, he has stated that he never engaged a private person named P.Jagannadham to assist in the office work on payment of daily wage and stated that he had neither demanded nor accepted any amount through private person from the complainant for return of documents. He has further stated that the Anti Corruption Bureau Officials created fabulous events during their raid as per the complaint to fulfill their pre-occupied intention, whereas, he became scapegoat in the hoax unfortunately and stated that they had paid deaf ear on all his replied version and the mediator report was prepared behind his back not incorporating his statement during the proceedings. He has further stated that a false and frivolous report is lodged by the complainant alleging that he had demanded the amount for return of documents and stated that no amount was traced with him at the time of proceedings of the Anti Corruption Bureau and the acid test conducted on him yielded any result. He has further stated that he aggrieved with the true version of the witnesses presented by him before the Regular Enquiry Officer who are well versed with the office atmosphere and true facts is deliberately set aside by the Regular Enquiry Officer while concluding the findings on the charge and stated that he performed duties with due care and responsibility and captured reputation in the Department and as significance to his sincere service, he was honoured with Best Employee award during Republic Day celebrations 2005. He has finally stated that he never aspire to illegal earning throughout his service

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rendered with 90% non-focal stations which can be revealed on verification of his service. With the above, he has requested the Government to cause review the findings of the Regular Enquiry Officer on the charge framed against him and reprieve the charge or diminish the imposition of the proposed penalty while initiating further action in the matter with a lenient view considering his old age.

14. Government after careful examination of the matter have observed that the points putforth by the Charged Officer has already been examined by the Regular Enquiry Officer and not mentioned any valid grounds. Therefore, it has been decided to confirm the provisional decision i.e., to impose a penalty of 5% cut in pension for a period of two years against Sri N.Raghu, former Sub Registrar, V.Madugula, Visakhapatnam (now Retired).

15. The Andhra Pradesh Public Service Commission have agreed with the proposal of the Government in the reference 14th read above (copy enclosed).

16. Accordingly, Government, hereby order to impose a penalty of 5% cut in pension for a period of two years against the Charged Officer Sri N.Raghu, former Sub Registrar (Retired).

17. The Deputy Inspector General, Registration & Stamps, Visakhapatnam / Director & Inspector General (Registration & Stamps), Vijayawada shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE, R&S)

To
The Individual (**through** the DIG, R&S, Visakhapatnam with a request to serve the order on the Charged Officer and furnish the served copy along with dated acknowledgement to Government for record).
The Director & Inspector General, Registration & Stamps, Eedupugallu, Vijayawada, Krishna District, Andhra Pradesh.
The Deputy Inspector General, Registration & Stamps, Visakhpatnam.

Copy to:

The Secretary, Andhra Pradesh Public Service Commission at Hyderabad.
The Secretary to Vigilance Commissioner,
Andhra Pradesh Vigilance Commission, Velagapudi, A.P.Secretariat, Guntur District.
The Director General, Anti Corruption Bureau, P.N.Bus Station, 2nd Floor, NTR Administrative Block. Vijayawada, Krishna District, Andhra Pradesh.
SF / SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER